



July 7, 2022

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VIA ECF

Honorable Sarah L. Cave
United States District Court
Southern District of New York
500 Pearl St., Courtroom 18A
New York, NY 10007-1312

Re: *Annamarie Trombetta v. Norb Novocin, et.al.*
Civil Action No. 18-cv-993
Our File No. 19701.00006

Dear Judge Cave:

As your Honor is aware, we represent the Defendant WorthPoint Corporation (“WorthPoint”) in the above-captioned matter.

As your Honor is also aware, at the latest Court conference, this Court ordered plaintiff to produce documents responsive to Defendants’ Requests for Production no later than June 21, 2022. This was already the third extension that plaintiff received to respond to Defendants’ discovery requests (the original deadline being April 8, 2022). On July 6, 2022, plaintiff advised Defendants that she “retrieved a box of information that was in storage” and that she will be producing these documents on July 8th. Ms. Trombetta also previously advised the Court and the parties that she was to be unavailable from June 27th to July 7th. Hence, we can only presume that she located this box of documents before she left on vacation yet she did not see fit to produce it to the Defendants before she left.

Plaintiff’s deposition is presently scheduled to take place on July 12, 2022, Tuesday of next week. Defendants do not know what is in the box of documents that plaintiff has now retrieved from her storage and what volume of documents she intends to produce. It is, however, unfair for the Defendants to be given short notice, including giving up their weekend, to review a box of documents just prior to plaintiff’s deposition, when plaintiff herself did not see fit to produce the documents she located before she left for her vacation.

Rather than wait until the last minute (we still do not have any idea when we will receive the intended production), Defendants are preemptively notifying the Court and requesting that the parties be given a brief, two week adjournment of the discovery deadlines in order for the Defendants to be given an opportunity to analyze plaintiff’s new production and properly prepare

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for plaintiff's deposition. We note that counsel for the EAI Defendants has scheduled vacation the week of July 18-22, and counsel for WorthPoint is scheduled to be away July 25-August 5th. As such, the next feasible opportunity to conduct plaintiff's deposition is during the week of August 8th. Accordingly, we would appreciate it, that if the Court is going to allow Plaintiff to make the late disclosure, the Court grant a two-week extension of the discovery deadline so that we can take the deposition of the Plaintiff during the week of August 8th.

We thank Your Honor for your attention to this matter.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

/s/Jana Farmer/

Jana Farmer

cc: All counsel
Annamarie Trombetta